

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MILLAGROS IMPORTS LIMITED, a  
New York corporation,

Plaintiff,

v.

PROGRESS VANTAGE LIMITED,  
A foreign corporation,

Defendant.

07-CV-3215 (SHS)

**PLAINTIFF MILAGROS IMPORTS  
LIMITED'S INITIAL DISCLOSURES  
PURSUANT TO FRCP 26(a)(1)**

Plaintiff Milagros Imports Limited ("Milagros") makes the following Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) based on the information currently and reasonably available to it at this initial stage of the case.

**A. Persons With Knowledge (FRCP 26(a)(1)(A))**

The following persons may have knowledge of discoverable information that Milagros may use to support its claims and defenses to counterclaims in this case:

<u>Name</u>	<u>Address</u>	<u>Subject Matter</u>
Irene-Luisa Torres	Milagros Imports Limited, 358 Fifth Avenue, Suite 1500 New York, NY 10001	All facts underlying Milagros's claims and defenses to counterclaims
Raymond Figueroa	Milagros Imports Limited, 358 Fifth Avenue, Suite 1500 New York, NY 10001	All facts underlying Milagros's claims and defenses to counterclaims
Ben D'Aniello	Milagros Imports Limited, 358 Fifth Avenue, Suite 1500 New York, NY 10001	Facts concerning Goddess Footwear/Lisa Napolitano's communications with Milagros's customers
William Wong	Progress Vantage Limited Unit 13A1, 13th Floor, Park Sun Building	All facts underlying the parties' business relationship

	103-107 Wo Yi Hop Road Kwai Chung, New Territories Hong Kong	
John Lau	ARDA Industrial L.T.D. Flat A, 6/F Kin Ho Industrial Building Block 1 14-24 Au Pui Wan Street Fo Tan, Shatin, N.T. Hong Kong	Facts concerning Milagros' claims and defenses to counterclaims
David Y.C. Cheng	Topper Embroidery & Textiles LTD. Unit 16A, 14 <sup>th</sup> Floor Peninsula Square 18 Sung On Street Kowloon Hong Kong	Facts concerning Milagros' claims and defenses to counterclaims
Shirley Keng	Flicker Footwear Limited Room 908, Tower B Hung Hom Commercial Centre 37-39 Ma Tau Wai Road Hung Hom, Kowloon Hong Kong	Facts concerning Milagros' claims and defenses to counterclaims

**B. Description of Documents (FRCP 26(a)(1)(B))**

Milagros incorporates by reference its responses and objections to Defendant and Counterclaim Plaintiff's First Request for the Production of Documents. The following categories of documents may be relevant to Milagros's claims and defenses to counterclaims in this case:

<u>Category</u>	<u>Location</u>
Electronic mail	Milagros Imports Limited c/o Stoel Rives LLP 600 University Street, Suite 3600 Seattle, WA 98101
Electronic records	Milagros Imports Limited, c/o Stoel Rives LLP

<u>Category</u>	<u>Location</u>
	600 University Street, Suite 3600 Seattle, WA 98101
Business records	Milagros Imports Limited, c/o Stoel Rives LLP 600 University Street, Suite 3600 Seattle, WA 98101
Samples of products and packaging bearing the BETTA mark	Milagros Imports Limited, c/o Stoel Rives LLP 600 University Street, Suite 3600 Seattle, WA 98101

**C. Compilation of Damages (FRCP 26(a)(1)(C))**

At this time, Milagros has only sought declaratory relief in this matter, and an award of its attorney's fees and costs to the extent permitted by law. Milagros will supplement these Initial Disclosures when and if it seeks an award of damages in this case.

**D. Insurance (FRCP 26(a)(1)(D))**

Milagros has no insurance agreements under which any person carrying on an insurance business may be liable to satisfy all or part of any judgment that may be entered on defendant's counterclaim or to indemnify or reimburse for any payments made to satisfy any such judgment.

Milagros reserves the right to supplement these Initial Disclosures as discovery progresses.

Dated: New York, New York  
September 4, 2007

Respectfully submitted,

LANDMAN CORSI BALLAINE & FORD P.C.

By: 

Daniel S. Moretti (DM 6630)  
Local Counsel for Plaintiff  
Milagros Imports Limited  
120 Broadway, 27th Floor  
New York, New York 10271-0079  
(212) 238-4800

Vanessa Soriano Power, Esq.  
Stoel Rives, LLP  
Counsel for Plaintiff  
600 University Street, Suite 3600  
Seattle, WA 98101  
(206) 624-0900

To: Storch, Amini & Munues, P.C.  
Attorneys for Defendant  
140 E 45<sup>th</sup> Street, 25<sup>th</sup> Floor  
New York, New York 10017  
(212) 490-4100

**AFFIDAVIT OF SERVICE BY MAIL**

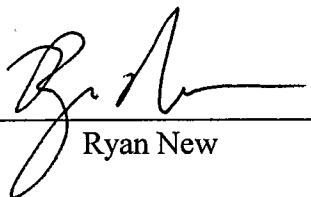
STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

RYAN NEW, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at NEW YORK, NEW YORK.

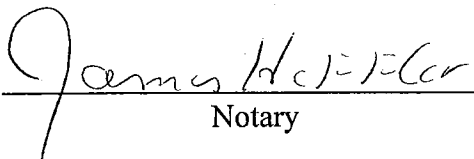
That on the 4<sup>th</sup> day of September, 2007, deponent served the within **PLAINTIFF MILAGROS IMPORTS LIMITED'S INITIAL DISCLOSURES PURSUANT TO FRCP 26(a)(1)** upon:

Storch, Amini & Munúes, P.C.  
Attorneys for Defendant  
140 East 45<sup>th</sup> Street, 25<sup>th</sup> Floor  
New York, New York 10017

attorneys in this action, at the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States post office department within the State of New York.

  
\_\_\_\_\_  
Ryan New

Sworn to before me this  
4<sup>th</sup> day of September, 2007

  
\_\_\_\_\_  
Notary

JAMES HEFFLER  
Notary Public, State of New York  
#032393  
Queens County  
Commission Expires November 1, 2009